

FILED BY *AS* D.C.

05 NOV 21 PM 4:00

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

2005 NOV 17 PM 4:00

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEBORAH MCGINNIS

Defendants.

Cr. No. 05-20128 - M

MOTION GRANTED

Jon Phipps McCalla
JON PHIPPS MCCALLA
U.S. DISTRICT JUDGE

Nov. 21, 2005

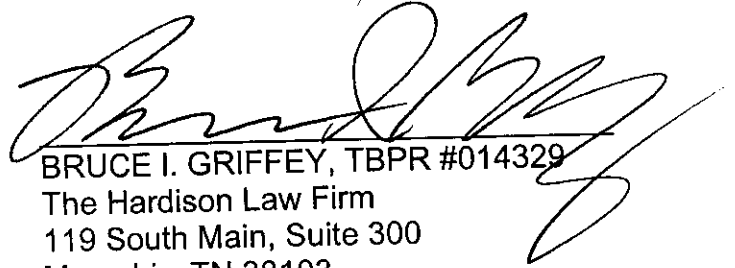
DATE

**MOTION TO WAIVE OF APPEARANCE AT REPORT DATE AND REQUEST FOR
ADDITIONAL TIME TO FILE POST HEARING MEMORANDUM**

Comes now the defendant, Deborah McGinnis, through appointed counsel, Bruce I. Griffey, and respectfully moves this Honorable Court to permit her to waive her appearance at the report date set for Wednesday, November 23, 2005, at 9:00 am. In support of this motion, defense counsel would state he needs additional time to review the transcript and submit an appropriate post suppression hearing memorandum. In addition, Ms. McGinnis is aware of her rights to attend any pretrial proceeding, she wishes to waive that right and has previously executed a waiver in this case. Moreover, defendant currently lives in Virginia and travel to the Court just prior to the Thanksgiving Holiday would be both a financial and travel hardship.

Undersigned counsel contacted Assistant United States Attorney Fred Godwin by phone concerning defendant's request in this motion. Mr. Godwin indicates he has no objection to defense counsel's request.

Respectfully submitted,

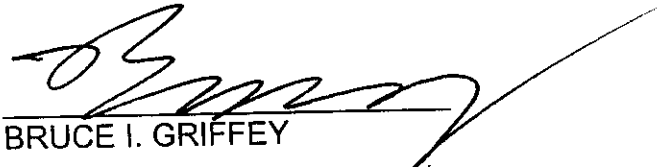


BRUCE I. GRIFFEY, TBPR #014329

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(901) 525-8776 Phone
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading has been forwarded to: Assistant U.S. Attorney Fred Godwin, 167 N. Main, Suite 800, Memphis, TN 38103, on this 17 day of Nov., 2005.



BRUCE I. GRIFFEY



Notice of Distribution

This notice confirms a copy of the document docketed as number 53 in case 2:05-CR-20128 was distributed by fax, mail, or direct printing on November 22, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT